

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHAD WAYNE HURN,

Petitioner,

v.

RONALD HAYNES,

Respondent.

No. 2:19-cv-01942-RAJ

ORDER GRANTING EXTENSION OF
TIME TO FILE OBJECTIONS TO
REPORT AND RECOMMENDATION

This matter comes before the Court on Petitioner's motion for an extension of time to file objections to the Report & Recommendation ("R&R"). Dkt. # 28. The Honorable Mary Alice Theiler issued the R&R on January 25, 2021. Dkt. # 27. The R&R ordered the parties to file any objections to the R&R no later than twenty-one (21) days after the filing of the R&R. *Id.* at 44. On February 1, 2021, Petitioner Chad Wayne Hurn ("Petitioner"), proceeding *pro se* while incarcerated, moved the Court for an extension of 90 days to respond to the R&R. Dkt. # 28 at 1. Petitioner points to the closure of the law library due to the COVID-19 pandemic, as well as his placement in a "COVID positive unit," from which he is not allowed to leave, as justification for his request for additional time to respond to the 45-page R&R. *Id.* at 3.

A court may, for good cause, extend the time by which an act must be done if a request is made before the original time expires. Fed. R. Civ. P. 6(b). According to

1 Local Rule 7(j), “[a] motion for relief from a deadline should, whenever possible, be filed
2 sufficiently in advance of the deadline to allow the court to rule on the motion prior to the
3 deadline,” unless the motion is based on a “true, unforeseen emergency.” Local Rules
4 W.D. Wash. LCR 7(j). Here, Petitioner provides good cause for an extension of time to
5 file his response based on his limited ability to access legal resources. He also filed his
6 request promptly, with sufficient time in advance of the deadline to allow the Court to
7 rule on the motion. The Court therefore **GRANTS** Petitioner’s motion for an extension
8 of time to 90 days from the date of this Order to file any objections to the Report and
9 Recommendation. Dkt. # 28.

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11 DATED this 8th day of February, 2021.

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14 The Honorable Richard A. Jones
15 United States District Judge
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